

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARTHUR RAY SEYMORE,	)	
	)	
Plaintiff(s),	)	No. C 06-1720 CRB (PR)
	)	
vs.	)	ORDER OF DISMISSAL
	)	
CITY OF UNION CITY, et al.,	)	
	)	
Defendant(s).	)	
_____	)	

Per order filed on July 25, 2006, the court dismissed plaintiff's excessive force complaint under 42 U.S.C. § 1983 with leave to amend within 30 days. The court made clear that failure to file a proper amended complaint within 30 days would result in the dismissal of his action.

More than 40 days has elapsed; however, plaintiff has not filed an amended complaint, or sought an extension of time to do so. The action is DISMISSED.

The clerk shall enter judgment in accordance with this order and close the file.

SO ORDERED.

DATED: Sept. 8, 2006

  
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CHARLES R. BREYER  
United States District Judge